

REGAINING F-1 STUDENT STATUS

Maintaining lawful status as an F-1 student means that you are making normal progress toward completing your course of study and following all immigration regulations related to your F-1 student status. These regulations are outlined below. Failure to maintain your F-1 student status or violating your F-1 status will require a plan to regain your F-1 status. Two options exist to regaining your F-1 status: applying to US Citizenship and Immigration Services (USCIS) for Reinstatement to F-1 Status **or** departure from the US and apply for readmission the U.S. in F-1 status. Both options are detailed below.

Maintaining F-1 Student Status

- ***You must pursue a full course of study.*** For undergraduate students (including pathway), you must be enrolled in a minimum of 12 semester hours each fall and spring semester. For graduate students (including pathway), you must be enrolled in a minimum of 9 semester hours each fall and spring semester. There are limits to the amount of distance or online courses that may count toward this minimum hour requirement. Undergraduate and graduate students are limited to one course or 3 semester hours to be counted toward the full course of study each semester. Undergraduate pathway students must be enrolled in at least 12 classroom-based hours. Graduate pathway students must be enrolled in at least 9 classroom-based hours. Students are not required to be enrolled in summer term as long as the student is eligible for a vacation term. Exceptions to the full-time requirement must be authorized by the Office of International Student Services.
- ***Completion of your program prior to the end date on your I-20.*** You must not allow your I-20 to expire if you have not completed all of your program requirements. If you require additional time to complete your program, you must follow all proper procedures to timely extend your I-20 end date. Program extension applications will require meeting with an International Advisor in the Office of International Student Services and your academic advisor. You may be required to provide updated financial documentation to support your program extension application.
- ***Properly update your I-20 as necessary.*** If you change your major, add a second major, graduate early, or decide to pursue a second degree or transfer schools, you must follow all proper procedures to update your I-20 accordingly.
- ***Take proper action during your 60-day grace period following completion of your program or authorized period of practical training.*** After completing your degree or practical training, you are permitted a 60-day grace period during which you must take appropriate action by preparing to depart the US in a timely manner, or timely filing for a change of status with USCIS, or be timely admitted to a new program of study and take necessary actions to update your I-20. Post-completion Optional Practical training applications must be timely filed with USCIS within 60 days following the program completion date.
- ***Keep your passport valid at all times unless you are exempt from the passport requirement.***
- ***Report any change in address within 10 days of moving.*** This must be reported to the Office of International Student Services. Address updates made through your MyMU, to the Office of the Registrar or the INTO Center are not automatically updated in SEVIS.
- ***Do not engage in unauthorized employment.*** Engaging in unauthorized employment is a serious offense and is a violation of your immigration status. Students who engage in unauthorized employment are not eligible to apply for reinstatement to F-1 Status with USCIS and must depart the US immediately.

Failure to maintain your F-1 student status will require action to regain your F-1 immigration status. If you have failed to maintain your status or violated your status, you are not entitled to benefits of F-1 status, including employment authorization. Two (2) options exist to regain F-1 student status: apply for reinstatement to F-1 status with USCIS **or** depart the US and apply for readmission to the US in F-1 status. Requirements for both options are detailed on the back of this page.

1: OPTION TO REGAIN F-1 STATUS BY TRAVEL AND REENTRY

Students may choose to depart the US and reenter with a new I-20 to regain lawful F-1 status. It is crucial to meet with an International Advisor to discuss your plans in detail to ensure that travel is the best option for you. You will be required to provide updated financial documentation to support your new I-20.

Benefits of travel and reentry to regain F-1 student status

- Does not require an application to USCIS
- Is typically much faster method to regain status

Disadvantages of travel and reentry to regain F-1 student status

- Automatic visa revalidation does not apply – if your visa is expired, you must visit the embassy for a new visa stamp
- Time previously spent in the US will not count toward the one academic year requirement for practical training

To obtain a new I-20 to regain F-1 status:

1. Meet with an International Student Advisor to discuss your travel plans.
2. Complete and submit the Reinstatement or Reentry I-20 Request Form to the Office of International Student Services (may be emailed to iss@marshall.edu).
3. Submit updated Proof of Financial Support documentation (see Proof of Financial Support information sheet) to the Office of International Student Services (may be emailed to iss@marshall.edu).
4. Allow 5-7 business days for your request to be processed. You will receive an email to your Marshall email when your new I-20 is ready for pick-up.
5. Using the new SEVIS number, pay the I-901 SEVIS fee online at www.fmjfee.com.
6. **After reentering the US, you must check-in with the Office of International Student Services within 5 business days.**

2: OPTION TO REGAIN F-1 STATUS BY REINSTATEMENT TO F-1 STATUS

Students may choose to file Form I-539 with USCIS to apply for reinstatement to F-1 student status. It is crucial to meet with an International Advisor to determine the course of action and assist with the process. To be eligible for reinstatement option, you must not have been out of status for more than 5 months, do not have a record of repeated or willful violations, have not engaged in unauthorized employment, are not deportable on any other grounds, and are currently pursuing or intend to immediately pursue a full course of study at the school on the I-20.

Benefits of reinstatement option to regain F-1 student status

- Does not require exiting and reentering the US
- Time spent in the US prior to violating status may count toward one academic year requirement

Disadvantages of reinstatement option to regain F-1 student status

- Requires adjudication by USCIS with processing times of 3-5 months
- If denied, you will be required to depart the US

2: OPTION TO REGAIN F-1 STATUS BY REINSTATEMENT TO F-1 STATUS (continued...)

To apply for reinstatement to F-1 student status:

1. Meet with an International Student Advisor to determine reinstatement eligibility.
2. Complete and submit the Reinstatement Request Form to the Office of International Student Services (may be emailed to iss@marshall.edu).
3. Submit updated Proof of Financial Support documentation (see Proof of Financial Support information sheet) to the Office of International Student Services (may be emailed to iss@marshall.edu).
4. Allow 5-7 business days for your request to be processed. You will receive an email to your Marshall email when your new I-20 for Reinstatement is ready.
5. Prepare the supplemental documents to mail along with your Reinstatement I-20 to USCIS:
 - ✓ Completed Form I-539 (available online at: <https://www.uscis.gov/sites/default/files/files/form/i-539.pdf>; instructions available at: <https://www.uscis.gov/sites/default/files/files/form/i-539instr.pdf>)
 - ✓ Completed Form G-1145 (available online at: <https://www.uscis.gov/sites/default/files/files/form/g-1145.pdf>)
 - ✓ Cashier's check or money order for \$370 made out to "US Department of Homeland Security"
 - ✓ Photocopies of all previous I-20s
 - ✓ Current I-94 (available online at: <https://i94.cbp.dhs.gov/i94/>)
 - ✓ Reinstatement I-20 signed by International Student Advisor
 - ✓ Transcripts
 - ✓ Photocopy of passport
 - ✓ Photocopy of visa
 - ✓ Proof of financial support documentation
 - ✓ Letter from student requesting reinstatement to F-1 status with explanation of circumstances beyond control
 - ✓ Other supporting documentation, if applicable or requested
6. Mail application and supporting documentation to USCIS:

USCIS

P.O. Box 660166

Dallas, TX 75266

Frequently Asked Questions

Which option is better for me? This will be determined when you meet with an International Student Advisor. For some students, travel is the best option. For others, applying for reinstatement is the best option. Many factors must be considered, therefore, it is usually case-by-case determination.

Which option is cheaper? Most usually, applying for reinstatement is cheaper. Fees to consider with travel option are flight expenses and I-901 SEVIS fee. Fees to consider with reinstatement option are the \$370 I-539 filing fee. However, if the reinstatement is denied you will be required to depart the US. In which case, you will have the burden of travel expenses on top of the filing fee.

Do I have to withdraw from classes? No, you should continue in your courses and continue maintaining your F-1 status. Travel options will require planning ahead with professors. Be sure to meet with an International Student Advisor.

Am I allowed to continue working in my on-campus job? No, you may not continue working on-campus. On-campus employment is a benefit to F-1 status. Violating your F-1 status means you are no longer entitled to the benefits of your status.